

**Technical Advisory Committee Agenda**  
**May 9, 2012**  
**12:00 noon to 2:00 p.m.**  
**Development Services Center / City Operations Building**  
**1222 First Ave, San Diego, CA 92101**  
**4<sup>th</sup> Floor Training Room**

<u>Group Represented</u>	<u>Primary Member</u>	<u>Alternate</u>
Accessibility	<input type="checkbox"/> Vacant	<input type="checkbox"/> Mike Conroy
Accessibility	<input type="checkbox"/> Connie Soucy	<input type="checkbox"/> Cyndi Jones
AGC	<input type="checkbox"/> Brad Barnum	
AIA	<input type="checkbox"/> John Ziebarth	<input type="checkbox"/> Kirk O'Brien
AIA	<input type="checkbox"/> David Pfeifer	<input type="checkbox"/> John Ziebarth
ASLA	<input type="checkbox"/> Stephen Halsey	
BIA	<input type="checkbox"/> Kathi Riser	
BIA	<input type="checkbox"/> Matt Adams	
BID Council	<input type="checkbox"/> Tiffany Broomfield	<input type="checkbox"/> Warren Simon
BIOCOM	<input type="checkbox"/> Faith Picking	
ACEC	<input type="checkbox"/> Rob Gehrke	<input type="checkbox"/> Jeff Barfield
Chamber of Commerce	<input type="checkbox"/> Mike Nagy	
EDC	<input type="checkbox"/> Ted Shaw	<input type="checkbox"/> John Eardensohn
In-Fill Developer		
NAIOP	<input type="checkbox"/> Buddy Bohrer	<input type="checkbox"/> Craig Benedetto
Permit Consultants	<input type="checkbox"/> Brian Longmore	<input type="checkbox"/> Barbara Harris
Small Business Advisory Bd.	<input type="checkbox"/> Gary Peterson	<input type="checkbox"/> Edward Barbat
SDAR		<input type="checkbox"/> Liz Saidkhanian
Sustainable Energy Advisory Bd	<input type="checkbox"/> Alison Whitelaw	
LU&H Liaison (non-voting)	<input type="checkbox"/> Leslie Perkins	

- 1) **Announcements**
- 2) **Public Comment on Non-Agenda Items**
- 3) **Discussion/Action/Informational**
  - A. Recommendation to Retire Outdated Policies from the 600 Series of the Council Policy Manual (Action) Betsy McCullough (30 minutes)
  - B. Overview of the New Municipal Storm Water Permit Draft (Informational) Sumer Hasenin, P.E. (20 minutes)
  - C. Draft Affordable Housing Parking Regulations (Action) Samir Hajjiri and Dan Normandin (20 minutes)  
[Affordable Housing Parking Study Final Report - December 31, 2011](#)
- 4) **Future Agenda Item**
  - Excavation Ordinance-Jeff Strohmingner
  - Discretionary Process Improvements-Process Committee Report
  - Mixed use and multi-family zones being developed through community plan updates (CMT and TAC)
  - DSD Financial Update, effect of fee increase
  - Re-roof recycling (construction recycling)
- 5) **Adjourn – next meeting June 13, 2012 or July 11, 2012**

**TAC Mission: “To proactively advise the Mayor and the Land Use and Housing Committee on improvements to the regulatory process through the review of policies and regulations that impact development. And to advise on improvements to the development review process through communications, technology and best business practices to reduce processing times and improve customer service. And to advocate for quality development to meet the needs of all citizens of San Diego.”**

City of San Diego  
MEMORANDUM

Date: May 1, 2012

To: Technical Advisory Committee

From: Betsy McCullough, Development Services, and Kelly Broughton, Director,  
Development Services

Subject: Recommendation to Retire Outdated Policies from the 600 Series of the Council  
Policy Manual

Staff is here today seeking a recommendation from the Technical Advisory Committee regarding the retirement of outdated policies in the 600 Series – entitled “Planning and Zoning – of the Council Policy Manual.

In November 2011 a discussion occurred at the Rules Committee about outdated policies found in the Council Policy Manual. Council President Young formed a staff group, the Council Policy Working Group, with the goal to “review all Council Policies systematically for consistency with the new Strong Mayor/Strong Council form of government, with other Council Policies, the Municipal Code, the Charter and any other controlling authority”, and with the understanding that the “working group would meet to bring forward recommended council policy clean-up to the Rules Committee for review and further direction throughout the year.” Given earlier staff work to identify outdated Council Policies in the 600 Series, Planning and Zoning became the first subject area in the Manual to be discussed by the Working Group.

The Council Policy Working Group held several meetings with members of Development Services in order to review all suggested Council Policy retirements and edits within the 600 Series. Attached to this memo is the first group of policies: the 22 policies that are recommended to be retired, without any impact, due to them being redundant, outdated, or contradictory to more recent adopted policy. Many of the policies in this group were adopted, or last amended, 20-30 years ago. They pre-date, or were intended to implement, the 1979 Progress Guide and General Plan which is no longer in effect. Council Policies proposed for retirement that are regulatory were adopted prior to the 2000 Land Development Code (LDC). The balance of the 600 Series policies is still being reviewed to determine whether they could also be retired after amendments to other adopted documents, or whether they should remain in effect, perhaps with revisions, or at least discussed; several policies in the 600 Series are proceeding with amendments through separate processes.

The 600 Series contains many policies created by the City during the period of expansive development in new north city and southern communities in the 1970s and 1980s. Council Policies served as an efficient and effective avenue for adopting policies of citywide significance during a time when the General Plan was a less-specific, optional-compliance document prepared by a Planning Department that worked directly for the City Council. Council Policies

were used as a vehicle to put forth policy language for immediate implementation by a variety of City departments and agencies.

During the development of the 2008 General Plan and the LDC, the content of council policies in the 600 Series was reviewed for relevance and incorporated into those newly-adopted documents to complete or enhance subject-matter policies or regulations. As a result, policies in this series became outdated and, in some cases, contradictory, to subsequently-adopted documents, which may contribute to challenges due to conflicting documents. Reducing the number of planning-related policies that are found outside the General Plan or LDC will help focus attention to the comprehensively-addressed subjects within those documents.

An action item has been placed on the Rules Committee agenda of May 16 asking for approval to proceed with retiring the 22 policies in the attached matrix. Staff would like to provide Rules with a recommendation from TAC at that meeting. On April 24, the Community Planners Committee made the following motion on a 23-0-1 vote:

Support the retirement of 21 of the 22 council policies in the “Retire Outdated Policies” matrix, including council Policy 600-10 but retaining and ensuring the POLICY statement as a policy of the City [i.e., “To establish a policy to insure that needed public services will be available concurrently with need.”] The CPC also voted to retain Council Policy 600-36 [titled “Requirements for Annual Adjustment of Facilities Benefits Assessments and Prepayment of Assessments”] until there is further discussion about it and possibly a replacement policy development/approved.

The attached matrix contains the 22 policies for your review prior to the meeting. Policies are sorted into groupings General Plan/State Law or Regulatory [Land Development Code] on page 1 for ease of review. Each Council Policy analysis contains the policy number, title, and adopted date/latest amendment date. The PURPOSE statement is copied directly out of each policy, followed by a discussion about why the policy is no longer needed. References are provided if you want to research any topic area. Also, the individual Council Policies themselves can be found on the City Clerk’s website: [www.sandiego.gov/city-clerk](http://www.sandiego.gov/city-clerk) under Official City Documents.

Thank you for your review.



Betsy McCullough, AICP  
Development Services  
[bmccullough@sandiego.gov](mailto:bmccullough@sandiego.gov)

Attachment:

600 Series Analysis – Revised April 25, 2012, entitled “RETIRE OUTDATED POLICIES”

# 600 SERIES ANALYSIS – Revised April 25, 2012

## RETIRE OUTDATED POLICIES

The council policies in this document should be retired after review and discussion with appropriate stakeholders. Policies are both regulatory- and policy-based. They fall into three areas as follows:

General Plan and State Law: 600-05, 600-06, 600-7, 600-10, 600-18, 600-22, 600-28, 600-29, 600-34, 600-36, 600-39, and 600-40

Regulatory: 600-2, 600-3, 600-14, 600-15, 600-26, 600-38, and 600-42

Other Policies not in the above categories: 600-1, 600-32, and 600-44

These policies are ones that redundant with, or contradictory to, newer adopted policy or regulations; are outdated due to the development condition of the City; or, are superseded by more comprehensive policies on the subject matter

Note: the “PURPOSE OF THE ADOPTED POLICY” for each council policy is directly from the policy itself; unless noted, the PURPOSE is included in its entirety.

600-01	Annexations by City	Adopted 1961; last amended 1981
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### ➤ PURPOSE OF THE ADOPTED POLICY

“The purpose of this Council Policy is to specify the areas of ultimate City annexation interest; to specify the factors that will be used to guide the City in responding to specific annexation requests and proposals; to identify necessary City actions to maintain or assert planning, land use and ultimate jurisdictional control over specified areas; and to reference the procedure to be followed for annexations to the City, whether initiated by the City or by landowners.”

### ➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

The City is required to comply with the Cortese-Knox-Hertzberg Local Government Act of 2000 addressing annexations, spheres of influence, and other reorganizations of jurisdictional boundaries. The 2008 General Plan and revised Administrative Regulation 50.20 [July 1, 2010] have incorporated the legally-required policies from this council policy. The General Plan provides for a process through the Local Agency Formation Commission (LAFCO) that utilizes current applicable law and procedures. The General Plan also carries forward and maps previously-identified potential annexations areas. The Action Plan that outlines implementation of the General Plan calls for the updating of this policy, but further analysis has shown that it can be retired.

### ➤ APPLICABLE REFERENCES/RESOURCES

- General Plan Land Use Element, Section K. Annexations and Reorganizations
- Administrative Regulation 60.20 “Annexation, Reorganization, and Change of Organization Procedures” [which should be amended to change a reference from Council Policy 600-01 to 2008 General Plan] <http://citynet.sannet.gov/documents/forms/ar/pdf/ar5020.pdf>
- LAFCO website for law and resources: <http://www.calafco.org/resources.htm>

600-02	Rezonings – Dedications and Improvements	Adopted 1965; last amended 1974
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➤ PURPOSE OF THE ADOPTED POLICY

“To afford the owner of property being rezoned a selection of methods to be used to obtain the necessary public improvements required by the City, and to set a standard of two years as the time during which a zone change may be effectuated.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy is outdated. The City’s practice of relieving small-parcel property owners from the burden of providing substantive public facilities within a year of subdivision map recordation was important and was used when development was occurring in largely-undeveloped areas of the City. Now City policy requires fees and facilities to be provided at the time of development approval. The policy also contains the concept and practice of a ‘conditional rezone’, but rezoning actions that purport to reverse a rezone based on failure of a condition to occur are illegal; instead a delayed effective date should be used, or the ability to obtain the proper public improvements can be addressed during the environmental review of the project. Both of the processes in this policy are outdated and are replaced in various sections of the Land Development Code and General Plan.

➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan, Public Facilities Element, Section A “Public Facilities Financing” and Section C: “Evaluation of Growth, Facilities, and Services”  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/publicfacilities2010.pdf>
- Land Development Code, Chapter 14, Article 2, Division 6 “Public Facility Regulations”  
<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art02Division06.pdf>

600-03 Coastal Housing Program

Adopted 1992; last amended 1994

➤ PURPOSE OF THE ADOPTED POLICY

“To establish procedures to be used to implement the requirements of Article 10.7, “Low- and Moderate-Income Housing within the Coastal Zone,” of Chapter 3 of Division 7 of Title 7 of the Government Code.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

The California Coastal Act requires conversion or demolition of dwelling units occupied by low- or moderate-income persons follow regulations to replace the units within the Coastal Zone or pay a fee toward replacement units. This policy contains a series of procedures, last amended in 1994, that were incorporated into 2000 Land Development Code (LDC) regulations approved by the California Coastal Commission, thus making the Council Policy redundant of the adopted code language.

[Note: the LDC regulations on this matter are currently being reviewed for consistency with state law.]

➤ APPLICABLE REFERENCES/RESOURCES

- Land Development Code Chapter 14, Article 3, Division 8 “Coastal Overlay Zone Affordable Housing Replacement Regulations”  
<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division08.pdf>

➤ PURPOSE OF THE ADOPTED POLICY

“To indicate to the citizens that the City Council encourages the preparation and implementation of community plans for major subareas of the City on a cooperative basis involving advisory community citizen organizations (which shall include property owners, residents, and local business persons in addition to other community interests) and City staff forces.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was last updated when major undeveloped tracts were outside established community boundaries and there were no adopted land use plans for those areas. The policy, in an effort to assure citizen participation in long range planning efforts, establishes that ‘citizen organizations’ will have a role in identifying boundaries and work programs for plan preparation, and may be required to pay for costs of special studies. Currently there are land use plans for those formerly-unplanned areas, almost all developed with input from, and coordination with, citizen organizations that now are a network of “recognized community planning groups”. Planning groups are not asked to fund any portion of a plan update since community planning is a budgeted City function. Prioritization in the community planning program is based on need for the update. The provision that calls for the Planning Commission to be the citizens’ organization for non-urbanized areas of the city is no longer needed since communities are developed, or are in late stages of build-out being monitored by the established planning group or an adjacent group if appropriate.

➤ APPLICABLE REFERENCES/RESOURCES

- Council Policy 600-24 “Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups” [http://docs.sandiego.gov/councilpolicies/cpd\\_600-24.pdf](http://docs.sandiego.gov/councilpolicies/cpd_600-24.pdf)
- Community Plan Preparation Manual  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/cityofsandiegocppm.pdf>
- 2008 General Plan, Land Use Element Section C “Community Planning”  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/landuse2010.pdf>

➤ PURPOSE OF THE ADOPTED POLICY

“It is the purpose of this policy to establish a procedure by which the orderly evaluation and adjustment of zoning controls in community planning areas can take place. This legislative action is a part of continuing public and citizen efforts to implement adopted community plans.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was put into place during the preparation of early community plans to emphasize that a plan alone could not properly guide land development: that accompanying zoning to implement the plan was also needed. It also recognized that government action to begin zoning proceedings was often needed, so the policy indicates that the City Council, Planning Commission or Planning Department could also identify

and begin rezoning actions. In the 1970s California planning law was changed to require zoning to be consistent with adopted general plans which the City, over time, complied with. These policies have all been incorporated into the 2000 Land Development Code (LDC). The LDC identifies that the Planning Commission or City Council, or a property owner may initiate a zoning action. The 2008 General Plan Land Use Element contains Section F “Consistency” policies that discuss applying or creating zones or other regulations to better implement the policies of the General Plan and community plans. This council policy is no longer used as guidance in applying zoning.

➤ APPLICABLE REFERENCES/RESOURCES

- Land Development Code, Chapter 12, Article 3, Division 1, Section 123.0103 “Commencement of a Zoning or Rezoning Action”  
<http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art03Division01.pdf>
- 2008 General Plan, Land Use Element, Section F “Consistency”  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/landuse2010.pdf>

600-07	General Plan Amendment Procedures	Adopted 1968; last amended 1975
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➤ PURPOSE OF THE ADOPTED POLICY

“To establish a guideline for amending the Progress Guide and General Plan for The City of San Diego.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

The 1967 Progress Guide and General Plan was the City’s first comprehensive plan and there was an understanding that it should be continually reviewed and periodically amended to function as a proper guide for future development. This policy is actually a series of procedural instructions about how to amend the 1967 plan. The 1967 plan was replaced by the 1979 Progress Guide and General Plan, and now by the 2008 General Plan. The 2008 plan’s Land Use Element contains a detailed discussion about processing plan amendments [general plan and community plans] and cautions about tracking and evaluating amendments.

It should be noted that State Law limits a jurisdiction to amending its general plan four times per year; however, as a charter city, San Diego is exempt from that provision. Although San Diego’s General Plan may be amended more than four times per year [e.g., each community plan amendment technically amends the General Plan], techniques are in place to identify and evaluate any cumulative impacts or patterns of change that the State Law limit may accomplish. Note that the General Plan Action Plan called for preparation of a Community Plan Amendment Manual. This document has been prepared: see below.

➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan, Land Use Element, Section D “Plan Amendment Process”  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/landuse2010.pdf>
- “General Plan and Community Plan Amendment Manual” August 2011  
<http://www.sandiego.gov/planning/genplan/pdf/gpamendmentmanualfinal082411.pdf>

600-10	Adequacy of Public Services in Connection with Development Proposals	Adopted 1970; last amended 1976
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➤ PURPOSE OF THE ADOPTED POLICY

“To establish a policy to insure that needed public services will be available concurrently with need.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy pre-dates the 1979 Progress Guide and General Plan and Growth Management Program. It calls for adequate public facilities specifically for the newly developing areas of the City – particularly the former Planned Urbanizing Area in the Interstate 15 corridor. The policy was also embodied in the 1992 Guidelines for Future Development as new communities built out. The 2008 General Plan continues to embody this policy but expands the objective to provide adequate facilities for all communities in the City. Given this policy’s narrow focus and the 2008 General Plan language, this policy no longer plays a role in directing the provision of adequate facilities.

➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan, Public Facilities Element Section C “Evaluation of Growth, Facilities, and Services”  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/publicfacilities2010.pdf>
- Land Development Code, Chapter 14, Article 2, Division 6 “Public Facility Regulations”  
<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art02Division06.pdf>

600-14	Development Within Areas of Special Flood Hazard	Adopted 1971; last amended 2000
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➤ PURPOSE OF THE ADOPTED POLICY

“To promote the public health, safety and general welfare, and to minimize public and private losses due to flooding and flood conditions in specific areas by provisions designed to:

- a. Protect human life and health;
- b. Provide Environmental Protection consistent with related City requirements;
- c. Minimize expenditure of public funds for flood control projects;
- d. Minimize the need for rescue and relief efforts associated with flooding;
- e. Minimize prolonged business interruptions;
- f. Minimize damage to public facilities and utilities located in areas of special flood hazard.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

The policy’s intent was to provide guidance for consideration of deviations from Floodway and Floodplain Fringe regulations. With the 2000 Land Development Code (LDC), a Site Development Permit is now required for deviations from Environmentally Sensitive Lands, and Supplemental Findings for Deviation from Federal Emergency Management Agency Regulations replace the considerations outlined in the Council Policy.

Although there is not a 1:1 translation of council policy language into the LDC, the issues that the council policy addresses are covered through Site Development Permit findings and supplemental findings for Environmentally Sensitive Lands. Of note, not in the LDC is the council policy provision advising an applicant for a deviation that their flood insurance may increase if they are granted a deviation. The LDC did not include this provision since this advisory is a discussion between the flood insurance agency and the



applicant, and the City is not a party to the insurance and should not try to advise applicants of this on an individual basis. The City actually participates in broader-based hazard mitigation activities through a regional task force and multi-jurisdictional plan. From a public safety perspective, the issue would be addressed in the environmental review of a project. LDC language is supported by 2008 General Plan language in the Public Facilities Element Section P “Disaster Preparedness”, especially PF-P.13.

➤ APPLICABLE REFERENCES/RESOURCES

- Land Development Code Chapter 14, Article 3, Division 1, Section 143.0146  
<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division01.pdf> and 126.0504(d)  
<http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art06Division05.pdf>
- 2008 General Plan, Public Facilities Element Section P “Disaster Preparedness”  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/publicfacilities2010.pdf>

600-15	Street Vacations and Easement Abandonments	Adopted 1974; last amended 1993
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➤ PURPOSE OF THE ADOPTED POLICY

“It is the purpose of this policy to outline criteria to be used in evaluating the need for existing rights-of-way and public service easements.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was adopted and amended prior to the 2000 Land Development Code (LDC) when it was the source of the only criteria that addressed when public rights-of-way could be considered for vacation, and provided the only process that vacations followed. The California Streets and Highways Code and State Map Act provisions now generally govern street and easement vacations; however the LDC supplements them with local process and findings that must be made when considering these requests in the City. The findings required to vacate a public right-of-way include: there is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated; the public will benefit from the action through improved use of the land made available by the vacation; the vacation does not adversely affect any applicable land use plan; and the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation. Public service easement abandonments contain the same findings.

Since the provisions affecting vacations and abandonments are contained in the LDC with comparable findings required, are linked to adopted plans, and require a process consistent with other similar permits in the LDC, this policy can be retired to eliminate redundant and outdated provisions on these matters.

➤ APPLICABLE REFERENCES/RESOURCES

- Land Development Code, Chapter 12, Article 5, Division 9 “Public Right-of-Way Vacations”  
<http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art05Division09.pdf> and Chapter 12, Article 5, Division 10 “Easement Abandonments”  
<http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art05Division10.pdf>
- California Streets and Highways Code Sections 8300-8363

600-18	Residential/Commercial/Industrial Development	Adopted 1972; no amendments
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➤ PURPOSE OF THE ADOPTED POLICY

“It shall be the policy of the Council to permit phased growth in undeveloped areas and more intensive development and redevelopment of areas previously urbanized only after a total cost/revenue analysis. The City Council shall establish growth priorities among the various areas now largely undeveloped. It shall be the policy of the City Council to assist the private sector in more intensive development and redevelopment of areas previously urbanized after a total cost/revenue analysis.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was created to address the 1967 Progress Guide and General Plan’s principles of Prevention of Sprawl and Development of a more Compact City. Its implementation was aimed toward prioritizing areas of future development: the 1979 Progress Guide and General Plan’s Planned Urbanizing and Future Urbanizing Area ‘tiers of development’. Given that the City’s areas of future development are developed or planned, and that the tier system of the prior general plan is no longer in effect, this policy has no current relevance. Additionally, any impacts to public facilities and services would be disclosed and addressed as part of the environmental review.

➤ APPLICABLE REFERENCES/RESOURCES

- None cited

600-22	Availability of Schools	Adopted 1975; last amended 1985
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➤ PURPOSE OF THE ADOPTED POLICY

“To establish a policy to govern the Council’s actions in determining where proposed residential development may adversely impact existing or prospective school capacity, and in taking appropriate corrective measures.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was adopted in 1975 and last amended in 1985. It was developed during the time that the City’s Residential Growth Management Program was directing new development toward the “Urbanized Area” of the City. While public facilities, including schools, were required to be built concurrent with development in the outlying communities, there was no corresponding requirement for schools in the urban areas until this policy was adopted. This policy required that new development get a “Letter of School Availability” before development in certain Urbanized tier communities could receive City approval. This disparate development situation no longer exists in the City. Additionally, state law has become the higher authority to assure that new school facilities are provided concurrent with development. State codes have tied school districts to new development by legislating fees for new development.

➤ APPLICABLE REFERENCES/RESOURCES

- California Government Code Section 65995

<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=5816548680+0+0+0&WAIAction=retrieve>

- State Education Code Section 17620-17626

<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=7811674961+2+0+0&WAIAction=retrieve>

600-26	Policy to Encourage Temporary Agricultural Activities on Properties Not Designated for Agriculture	Adopted 1979; no amendments
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➤ PURPOSE OF THE ADOPTED POLICY

“To encourage temporary farming on lands that do not have prime agricultural soils before the owners are ready to otherwise develop these properties.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

The current urbanized condition of the city makes this policy inapplicable. In 1979 it was valid to allow or encourage temporary farming use on lands other than ‘prime agricultural’; outlying expanses of land were still either unplanned or undeveloped, making them available for these temporary agricultural uses. Given the undeveloped status of the northern city communities, there was little conflict with residential development. However, as resource protection regulations were enacted in the City, and development overtook areas that had been farmed, these temporary agricultural uses sometimes purposefully ‘cleared and grubbed’ or graded in resource areas to avoid future restrictions on development. In 2000, the Land Development Code ultimately limited where agriculture might be located on land not zoned Agricultural and what restrictions would apply due to either presence of resources or proximity to urban development.

[Note: this retirement of policy would have no impact on recent efforts to create General Plan and LDC provisions enabling community farms or community gardens]

➤ APPLICABLE REFERENCES/RESOURCES

- Land Development Code, Chapter 13, Article 1, Division 3 “Agricultural Base Zones” and other Chapter 13, Article 1 divisions for Base Zones which address agricultural uses by Zone Category.  
<http://docs.sandiego.gov/municode/MuniCodeChapter13/Ch13Art01Division03.pdf>

600-28	Requirements for Development Approval in Planned Urbanizing Areas	Adopted 1980; no amendments
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➤ PURPOSE OF THE ADOPTED POLICY

“The purpose of this Council Policy is to specify the requirements for approval and financing of development in the Planned Urbanizing Area of the City in accordance with the Progress Guide and General Plan, “Guidelines for Future Development.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was adopted to specify provision of public facilities for new development in the undeveloped communities in the Planned Urbanizing Area as identified in the 1979 Progress Guide and General Plan. Planned Urbanizing Communities are no longer undeveloped and the tier identification was not carried

forward into the 2008 General Plan. Public Facilities Financing Plans are now required and in effect in all communities in the City.

➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan, Public Facilities, Services and Safety Element, Section A “Public Facilities Financing” <http://www.sandiego.gov/planning/genplan/pdf/generalplan/publicfacilites2010.pdf>

600-29	Maintenance of Future Urbanizing Area as an Urban Reserve	Adopted 1981; last amended 1993
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➤ PURPOSE OF THE ADOPTED POLICY

“The purpose of this Council Policy is to specify the guidelines and necessary actions for implementation of the Progress Guide and General Plan for the Future Urbanizing area of the City in order to insure that an “urban reserve” area is maintained for the current planning period and to insure that land is shifted from the Future Urbanizing area to the Planned Urbanizing area only when needed and justified in accordance with the City’s growth management strategy.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was written when the stages of future City development were described in three tiers: Urbanized, Planned Urbanizing (PUA), and Future Urbanizing (FUA) areas. The City’s Residential Growth Management Program strategy was addressed more broadly in an amendment to the 1979 Progress Guide and General Plan entitled “Guidelines for Future Development” [adopted in 1992]. The outlying communities of the City were undeveloped and in the FUA tier, necessitating policies and regulations to be applied there to “avoid premature development”. The policy’s BACKGROUND is extensive, describing the City’s development status starting in 1981 (progressing to 1993) and clearly discusses the FUA as an “urban reserve” since there was ample vacant land for development in the Urbanized and Planned Urbanizing areas of the city. The section indicates that the FUA could contract through a shift of land to the PUA (or expand through annexations). This content of this council policy correlated to adopted policy language in the 1979 Progress Guide and General Plan. By the early 2000s much of the FUA land had shifted to the PUA tier. With the adoption of the 2008 General Plan, the policy concept of the FUA was eliminated and remaining undeveloped lands were addressed in plan language upholding the law of the 1985 Proposition “A” Managed Growth Initiative.

The purpose of the council policy is to provide “guidelines and necessary actions” to maintain the “urban reserve” area until the land is shifted. Except for an occasional remaining parcel, much of the FUA was developed in accordance with regulations adopted to implement the FUA tier, or shifted in accordance with the 1979 plan to PUA and developed in accordance with PUA regulations. With the 2000 Land Development Code (LDC), certain regulations that were applicable in the FUA were carried over to maintain the equivalent development as allowed under Proposition “A”.

Items in the POLICY section addressed both policy directives about development and development regulations as follows:

Section A: Allows three development intensities on agriculturally-zoned properties in the FUA: density of the applicable zone; rural cluster; and, rural cluster at up to 1 dwelling unit/4 acres. Each was thought to allow development in accordance with maintaining an “urban reserve”.

**These development options are currently applicable in the LDC**

Section A: Allows Conditional Use Permits whose uses are natural resource dependent, non-urban, or are interim and do not preclude future uses.

**With the LDC, effective in 2000, Conditional Use Permit regulations were reviewed and uses that did not comply with the intent of the agricultural zones applied in the FUA became “not permitted”. This direction is no longer needed for the land remaining in the Proposition “A” areas and areas that are shifted to Urbanized per the 2008 General Plan do not need to comply with this provision.**

Section B: indicates that land in the FUA should be considered for placement in an “agricultural preserve”.

**Placing FUA land into a Williamson Act agricultural preserve might have been discussed, however this direction is not useful at this time. Minimal lands remain in the FUA and much of what is there is Multiple Habitat Preservation Area or contains resources to be preserved such as steep slopes; in any case they should not be farmed. Lands in the Proposition “A” area that are developable are subject to Environmentally Sensitive Lands regulations and, through their base zoning, must preserve significant portions of development sites. Preserving these lands for agricultural is not an appropriate policy to pursue at this time.**

Section C: requires monitoring of growth in the PUA and Urbanized tiers to analyze whether the provision of developable land in these areas is keeping up with demand or whether there is a need for City-initiated shifts in land from FUA to PUA.

**The vast majority of land has already shifted from the FUA to PUA and these tiers for development sequencing no longer exist. New development and growth is monitored throughout the City and can be identified community by community. This provision is no longer utilized.**

Section D: states that before urban density development may occur on lands in the FUA, that a shift in boundary between the FUA and PUA must occur (through a general plan amendment); a land use plan must be adopted; then rezoning and a plan for public facilities is accomplished.

**The vast majority of land in the FUA shifted to PUA (now Urbanized in the 2008 General Plan). Those areas are covered by adopted land use plans, zoning that implements those plans, and public facilities financing plans that identify public facilities and funding sources for them. Lands that remain in the Proposition “A” lands will be subject to a phase shift (general plan amendment) and will need to be covered in a land use plan, by zoning, and be accompanied by a facilities financing plan.**

**The phase shift process is covered by Council Policy 600-30. There is a proposal to amend the Land Use Element Section J Proposition A- the Managed Growth Initiative (1985) of the General**

**Plan to describe the plan amendment process required for Proposition “A” lands and then sunset Council Policy 600-30. This policy can be retired now, however, since details of the plan amendment process remain in the council policy until they are amended into to the General Plan.**

Section E: addresses fully utilizing the PUA and Urbanized tier lands before planning for urbanization of the FUA by analyzing the need for additional developable land.

**Similar to the explanation for Section C above, the question of development in former PUA lands is moot since the vast majority of the land in the FUA has already shifted and is available for urban level development.**

Section F: directs an environmentally sensitive lands and open space lands study be conducted before urban facilities are allowed into the FUA. If facilities are to occur, impacts must be mitigated.

**The Multiple Species Conservation Plan, adopted in 1997, addresses these issues. The Land Development Code, effective in 2000, contains Environmentally Sensitive Lands to implement this plan on public and private lands. This issue has been addressed in the LDC and in required environmental documents prepared according to CEQA.**

Due to there being no lands in the City now identified as an “urban reserve” waiting for planned future development, and the safeguards identified for future developable land no longer needed or being incorporated into other City policy or regulatory documents, this council policy is no longer needed.

➤ **APPLICABLE REFERENCES/RESOURCES**

- 2008 General Plan, Land Use Element, Section J  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/landuse2010.pdf>
- 2008 General Plan, Public Facilities Element, Introduction and Section A. Public Facilities Financing and C. Evaluation of Growth, Facilities, and Services  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/publicfacilities2010.pdf>
- Land Development Code, Chapter 14, Article 3, Division 4 “Planned Development Permits”  
<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division04.pdf>

600-32	Standards for Centre City Streets, Enhance Pedestrian Orientation & Access, Mass Transit & Alternative Transportation Options Other than the Automobile	Adopted 1981; last amended 1994
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➤ **PURPOSE OF THE ADOPTED POLICY**

“This policy is adopted to outline/prescribe the general standards for developing the streets as multifunctional people spaces that de-emphasizes the automobile. It also establishes that all projects which may change the existing system of streets, direction of traffic flow, major revisions to existing on-street parking practices or increased pedestrian ways must be reviewed by the Engineering Department and Centre City Development Corporation for all public and private proposals. The policy pertains to the continued development of programs and projects that enhance pedestrian orientation and access throughout the downtown street system. In addition, it increases the emphasis on mass transit and other transportation options other than the automobile.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

The individual items in this policy have not been translated 1:1 into the 2006 Downtown Community Plan, however it was intended that the plan update address the street network and mobility of the plan area. The plan was adopted and the accompanying EIR certified, thus it now governs the street network and policies in the community and this council policy is no longer used for guidance.

➤ APPLICABLE REFERENCES/RESOURCES

- 2006 Downtown Community Plan <http://www.ccdc.com/planning/regulatory-documents.html>

600-34	Transit Planning and Development	Adopted 1986; no amendments
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➤ PURPOSE OF THE ADOPTED POLICY

“The purpose of this policy is to convey the high priority that the Council attaches to facilitating the growth and development of public transit in the San Diego area; and to indicate some of the measures and mechanisms that will be employed, in cooperation with the Metropolitan Transit Development Board (MTDB), to achieve the protection and acquisition of transit rights-of-way and funding of local transit’s capital, operating, and maintenance costs.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This 1986 council policy was groundbreaking in documenting a policy agreement between the City and the Metropolitan Transit Development Board to jointly pursue the development of transit in San Diego. Council Policy components are found throughout the 2008 General Plan and in community plans and public facilities financing plans. The policy led to incorporating transit route and station planning into community plans and a commitment to seek funding for transit facilities. Regional transit system planning has since developed. Community plan updates evaluate transit opportunities and promotion, including corridor protection and right-of-way acquisition and transit stations & centers planning. Transit has become a key component in Smart Growth strategies which are embodied at the regional and local planning levels, including the City of Villages Strategy in the 2008 San Diego General Plan. The council policy promotes the connection between land use and transit planning, which is embodied in Figure ME-1 “Transit Land Use Connections”.

The 2008 General Plan’s Mobility Element expands beyond incorporating transit into planning and financing; it embraces a balanced multi-modal transportation network that increases use of non-auto opportunities to meet varied user needs but still preserves auto-mobility while recognizing that transit is a key component in regional planning and inter-jurisdictional coordination efforts. The council policy has fulfilled its role in igniting adopted and future policies of the City to consider transit into long range planning and coordinating with other jurisdictions in the region.

➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan, Mobility Element, specifically noting the Introduction and Section B <http://www.sandiego.gov/planning/genplan/pdf/generalplan/adoptedmobilityelemfv.pdf>

600-35	Processing of Community Plan Amendments	Repealed 1996
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600-36	Requirements for Annual Adjustment of Facilities Benefit Assessments and Prepayment of Assessments	Adopted 1987; last amended 1995
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➤ **PURPOSE OF THE ADOPTED POLICY**

“This policy applies to the formally adopted and designated FBA areas. The purpose of this Council Policy is:

1. To establish guidelines for an annual review of FBA and for modifications to liens or the imposition of additional liens by the City based upon the annual review; and
2. To establish guidelines for prepayment of assessments and release of liens.”

➤ **WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT**

This policy, adopted in 1987, contains background about the City’s 1979 Growth Management Plan that established developer financing of public facilities through Facilities Benefits Assessments (FBA) procedures. It explains aspects of the 1980 “Procedural Ordinance for Financing of Public Facilities in the Planned Urbanizing Areas” (Ordinance) found in the Municipal Code, Chapter 6, Article 1, Division 22.

The major discussion, and one of the two PURPOSE statements in the council policy, is review of FBA fees. Council Policy 600-36 states that the Ordinance calls for an annual adjustment in the amount of the FBA fees based on an annual review. This language is not consistent with the Ordinance that states the “City Council may, annually ... cause an adjustment to be made in the FBA...” (Section 61.2212). The 2008 General Plan, Public Facilities Element Policy PF-A.3.b states “Ensure DIFs and FBAs are updated frequently and evaluated periodically to ensure financing plans are representative of current project costs and facility needs.” Neither require an annual adjustment but instead base it on need. Given the agreement between the 1980 Procedural Ordinance in the Municipal Code and the 2008 General Plan, and the inconsistent statement about annual fee adjustments in the council policy, the council policy’s language is not governing and can be retired without impact.

The council policy Section A outlines an annual review for each FBA area that accompanies a required annual update. Annual reviews are not currently performed as outlined in the policy, i.e., an annual review followed by a required update to each FBA each year regardless of development progress in a community or market conditions. An FBA update can cost \$50,000-\$90,000 and can take months of effort. If there is no facility- or cost-driven need to update the plan, this administrative fee impacts the funds available for building facilities with no benefit to the community. Instead, FBA reviews and fee adjustments are performed in circumstances where plan content and costs are benefitted: (1) a financing plan is updated when there is a community plan amendment affecting density or intensity, or when there is a community plan update; (2) there is an “interim update” of a financing plan for an FBA area when staff’s review determines that there is a need to keep costs current for pending projects, if market conditions change significantly and don’t keep up with costs of construction, if the pace of development changes, or if a project being constructed comes in above the plan’s allocated cost; and (3) an automatic annual escalator built into financing plans for FBAs increases fees at a given rate over a number of years unless staff demonstrates the need to adjust the escalator through a financing plan amendment. The need-based approach to updating FBAs while committing to the level of review needed to cover facilities costs is a fiscally responsible approach both administratively and on behalf of community facilities.

The second issue discussed in the council policy is the prepayment of FBA fees and the release of liens. The council policy indicates it “establishes guidelines” for prepayment because “The FBA procedural ordinance does not



specifically address the City to accept prepayments of assessments...” It is true that the Ordinance does not address prepayment for the circumstances described in the council policy: for sale, transfer or refinancing of property. This provision may have been an acceptable method to assist property owners when it was originally proposed, however it is not the City’s practice to remove liens early without obtaining a parcel map. The early payment of assessments may have allowed property owners to sell portions of large property holdings but it was an administrative challenge tracking which fees had been paid on portions of which properties. New buyers may not have been aware that fees were due when building permits were issued and consequently were surprised when, according to this policy, they were responsible for the difference in fees from when they purchased the property to when they acquired their building permits. City staff found that some property owners would try to pay assessments early, prior to a scheduled fee increase, resulting in fund shortages in the FBA for scheduled facilities. To address the uncertainty and educate the property owners when selling property in an FBA area, staff issues a FBA Lien letter (upon request) that clarifies the amount of the lien on the property and the fees that will be due; however, fees still must be paid at the time of building permits.

A provision for the release of liens prior to buildout was added to the Ordinance in 2011, however it addresses “Partial Payment for Phased Development” (Section 61.2210(b)) for proportional development based on a phased development program. The General Plan does not address this topic. Given the current practice of phased development programs, the Ordinance, and not the council policy provision, better addresses the needs of the public facilities financing plan and the community; the council policy’s language on early lien removal can be retired without impact.

Council policy Section C is a community-specific provision in a phased-development community that has satisfied its financing conditions and the phased development has been achieved. This statement (applicable in North City West – now Carmel Valley) can be retired with no impact.

#### APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan, Public Facilities, Services and Safety Element, Section A “Public Facilities Financing” Policy PF-A.3.b  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/publicfacilities2010.pdf>
- Municipal Code, Chapter 6, Article 1, Division 22 “Procedural Ordinance for Financing of Public Facilities in Planned Urbanizing Areas”  
<http://docs.sandiego.gov/municode/MuniCodeChapter06/Ch06Art01Division22.pdf>

600-38	Panhandle Lots and Access Easements	Adopted 1992; no amendments
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#### ➤ PURPOSE OF THE ADOPTED POLICY

“To provide criteria to evaluate tentative maps proposing a “panhandle” lot(s) and/or an access easement(s).”

#### ➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was adopted prior to the 2000 Land Development Code (LDC) to give guidance when considering a panhandle lot proposal or creation of a lot with limited access to a street. The council policy describes an outdated “variance” permit process and criteria that have since been updated and clarified within the LDC and 2008 General Plan. Before a panhandle lot can be approved, the LDC requires discretionary permit review to fully evaluate proposed project impacts against adopted land use plan policies

and applicable regulations. Panhandle lots are seldom seen currently due to efforts to apply base zones better matching typical lot sizes and to Environmentally Sensitive Lands regulations limiting development encroachment into slopes [a typical reason for larger-than-zone-minimum lot sizes].

A panhandle lot has a narrow or limited access way to the nearest street that does not meet the zone's minimum dimension for street frontage. While creation of this type of lot is typically discouraged consistent with the council policy, the LDC provides flexibility to consider approval of a map with panhandle lots where it can be demonstrated that a more desirable project would be achieved that meets the purpose and intent of the applicable land use plan (e.g., to protect environmentally sensitive lands). Under the LDC, a deviation may be requested with a Planned Development Permit (PDP) to attain a project that "encourages imaginative and innovating planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be *preferable to what would be achieved by strict conformance with the regulations*". [emphasis added] Findings for approval are judged against policies in the Urban Design Element of the General Plan that require sensitivity to existing lot patterns and neighborhood character and quality, and reinforcement of street frontages; and against neighborhood character policies in the applicable community plan. Existing land use plan policies and permit findings directly address any site-specific issues with a proposed panhandle lot through a public hearing process, which currently involves a decision by the Planning Commission that is appealable to the City Council.

#### ➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan Urban Design Element, Goal 5: "Infill housing, roadways and new construction that are sensitive to the character and quality of existing neighborhoods", Policy UD-B.3 "Residential Design/Subdivisions" and UD-B.4 "Residential Street Frontages"  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/adoptedudelem.pdf>
- Chapter 12, Article 6, Division 6 "Planned Development Permit Procedures"  
<http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art06Division06.pdf>

600-39	Land Guidance
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Adopted 1992; no amendments
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#### ➤ PURPOSE OF THE ADOPTED POLICY

"To strategically apply the "Transit-Oriented Development Design Guidelines," (incorporated into this policy by reference and available in the City Clerk's Office as Document Number RR-280480), throughout the City in order to create a desirable and more efficient urban form." [Note: this is only the first sentence of a one-page Purpose section.]

#### ➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

Land Guidance was a policy perspective developed by the City in the late 1980s focused on pursuing an urban form that includes a pedestrian-oriented, mixed-use multimodal transportation environment and land use patterns that are supportive. One key component of the programmatic effort was the adoption, in 1992, of the "Transit Oriented Development (TOD) Guidelines" document. The strategies and guidelines in that document were intended to be incorporated into City policies and regulations. This council policy accompanied the TOD Guidelines and framed an implementation approach that included: Progress Guide and General Plan (1979) land use and transportation policy changes; community plan update

accommodation of transit corridors and mixed use; Street Design Manual update to accommodate the TOD principles; demonstration projects; discretionary project review incorporating TOD design elements; zoning changes through the Zoning Code Update (later Land Development Code) project; location of public facilities guidance to be in transit-oriented mixed-use neighborhoods; and incentives to encourage private investment in TOD projects. The council policy IMPLEMENTATION section states that “Implementation of the Land Guidance program is intended to occur by incorporating the TOD guidelines into City policies and regulations. If this strategy is successful, ultimately the need for a distinct TOD Guidelines document will be gone.”

The council policy was needed at the time of adoption to direct incorporation of new concepts into a variety of City documents. Since incorporation of TOD principles and guidelines has generally been accomplished through the adoption of the 2008 General Plan (including the City of Villages strategy for implementation through the community plan update process), the Land Development Code (effective in 2000), the 2002 update of the Street Design Manual, and the Pilot Village Program that accompanied the Strategic Framework Element, this policy has fulfilled its IMPLEMENTATION section role and has been replaced as the policy framework on the subject matter discussed. The separately-adopted Transit Oriented Development Guidelines remain an adopted document of the City and is currently available as a reference document.

#### ➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan Land Use Element, particularly City of Villages strategy  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/landuse2010.pdf>
- 2008 General Plan Mobility Element, Section B Transit First  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/adoptedmobilityelem1ab.pdf>

600-40	Preparation of Long Range Plans
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Adopted 1991; no amendments
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#### ➤ PURPOSE OF THE ADOPTED POLICY

“To provide guidelines for the preparation and approval of long range plans to:

1. Ensure thorough analysis of site constraints and opportunities early in the planning process;
2. Aid in the review of permits and maps for projects in the planning area;
3. Ensure the protection of environmental resources by preserving contiguous open space systems and providing mechanisms to acquire or protect those resources; and
4. Ensure that adopted land use policies and objectives are considered in the context of the suitability of the plan area for development.”

#### ➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This council policy was an early directive to analyze and minimize impacts on natural resources in the City. It, and the 1989 Resource Protection Ordinance (RPO), preceded the North City Future Urbanizing Area Framework Plan (NCFUA Framework Plan; 1994) and Environmental Tier study, the Multiple Species Conservation Program (MSCP; 1997), the Land Development Code (LDC; effective in 2000) and the 2008 General Plan. These subsequent documents expanded policies and regulations to protect resources; RPO as

a separate ordinance was repealed when the LDC was adopted, however this policy remained “on the books”.

The RPO was an early effort by the City to address resource protection on a parcel-by-parcel basis as land was developed. This policy was adopted shortly after RPO (in 1991) to ensure that comprehensive analysis addressed protection of major tracts of land in the City’s Planned Urbanizing Area and Future Urbanizing Area as they came under development pressure. The City’s objective was to ensure the implementation of consolidated habitat areas and the preservation of ecosystem connections and functioning at long-range planning scales and to reduce conflicts between long-range plans and development permits that were subject to RPO. A key implementation of the policy was the Environmental Tier study that was conducted for the NCFUA. This in-depth open space suitability analysis resulted in a map that was used as a basis for design of land uses in the NCFUA. It met the purpose of this council policy and subsequently was the basis for areas to include in the MSCP habitat area in the north city area.

The PROCEDURES section of the council policy has four main areas: a development suitability analysis; consistency with RPO analysis; land use distribution/allocation consistency with the general plan and other policies; and Planning Department recommendation. While this policy and the RPO regulations are what assured these processes occurred before 2000, now resource protection regulations are in the LDC (Environmentally Sensitive Lands (ESL) regulations). Also in the LDC are development area limitations for individual lots in base zones applied to ‘large lot’ areas where resources are present (e.g., OR-1-1, AR-1-1). Projects that do not comply with the ESL regulations in the LDC are subject to findings for exemption. The 2008 General Plan Conservation Element addresses open space and landform preservation as well as implementation of the MSCP. Community plans prepared pursuant to the 2008 General Plan will contain Conservation Elements addressing resources including open space and connectivity; slope preservation; wetlands preservation; public views and community buffers. All new land use plans or plan amendments will be subject to CEQA guidelines where issues identified in this policy will be analyzed.

The stride forward in the comprehensive analysis of impacts to resources was first addressed in RPO and by this council policy. Subsequently the MSCP, the LDC, and the General Plan have adapted these purposes and procedures into adopted regulations and policies now in effect; therefore this council policy may be retired.

#### ➤ APPLICABLE REFERENCES/RESOURCES

- Land Development Code, Chapter 14, Article 3, Division 1 “Environmentally Sensitive Lands”  
<http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division01.pdf>
- Land Development Code, Chapter 13, Article 1, Division 4 “Residential Base Zones”  
<http://docs.sandiego.gov/municode/MuniCodeChapter13/Ch13Art01Division04.pdf>
- 2008 General Plan, Conservation Element, Section B “Open Space and Landform Preservation”  
<http://www.sandiego.gov/planning/genplan/pdf/2012/ce120100.pdf>
- North City Future Urbanizing Area Framework Plan  
<http://www.sandiego.gov/planning/community/profiles/ncfua/pdf/ncfuafullversion.pdf>

➤ PURPOSE OF THE ADOPTED POLICY

“The purpose of this policy is to provide guidance for City consideration of applications for limited or controlled access projects in conjunction with a concurrent discretionary action, such as a Tentative Map, Planned Residential Development Permit, street vacation, or other approval processes determined by the City Manager. It establishes definitions and criteria, and references regulatory codes, ordinances and manuals that will be used in evaluating the merits of individual projects. Also, the purpose of this policy is to minimize the impact on surrounding neighborhoods, ensure appropriate public and emergency vehicle access, and provide general guidance on the design concept of walls.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

This policy was adopted to limit or discourage public access to certain development areas or projects through either mechanisms known as ‘traffic calming’ or by using gated accessways on private streets to prohibit traffic. These are two public right-of-way situations should be addressed individually; the 2008 General Plan and the 2000 Land Development Code (LDC) address these situations in context with similar policies or regulations.

The 2008 General Plan expands on the very narrow council policy discussion related to *discouraging* through-travel or access. The plan recognizes the importance of situational traffic calming and provides a ‘Traffic Calming Toolbox’ in the Mobility Element to be used when evaluating projects with calming measures. The toolbox can be used for either public projects developed within existing rights-of-way or when a private development proposes an internal circulation system that is extensive, perhaps multi-modal, and would benefit from access control measures.

The LDC triggers a discretionary decision process for controlled [gated] access proposals. If there is an *existing private street*, that street would have originally become private through a discretionary permit and a gate proposal would trigger an amendment to that permit. If a controlled access is proposed on an *existing public street*, the street would need to be vacated since the California Vehicle Code states that a public street cannot be closed to individuals who would want to use it. Without a public right-of-way, the lots taking access from that street do not meet the frontage requirements in the base zone, thereby triggering a Process 5 Planned Development Permit (PDP) and a Planning Commission recommendation and City Council decision. The intent of a PDP is to “encourage imaginative and innovating planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulation”. It requires a finding of no adverse affect to the adopted land use plan. In either the situation of vacation of a public right-of-way and addition of a gate, or amending a current permit to add a gate on a private street, all reviewing disciplines would review for problematic access and safety issues similar to the specific criteria currently found in the council policy.

There is a seldom-found situation that this policy does not address and therefore would not be affected by its deletion: a single lot containing multi-family units that erects a gate in accordance with all City fence requirements cannot be restricted from doing so by right. This is an infrequently-found situation that would not be affected by retiring this council policy.

➤ APPLICABLE REFERENCES/RESOURCES

- 2008 General Plan Mobility Element, Section C “Street and Freeway System” and Table ME-2 “Traffic Calming Toolbox”  
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/adoptedmobilityelem2cg.pdf>
- Chapter 12, Article 9, Division 7 “Public Right-of-Way Permits”  
<http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art09Division07.pdf>
- Chapter 12, Article 5, Division 9 “Public Right-of-Way Vacations”  
<http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art05Division09.pdf>
- State Vehicle Code Section 21101.6  
<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=5810605140+1+0+0&WAISaction=retrieve>

600-44	Placement of Wire Communications in Sewer and Storm Water Pipes	Adopted 2002; no amendments
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➤ PURPOSE OF THE ADOPTED POLICY

“The purpose and intent of this policy is to establish criteria for the installation of wire communications within City sewer and storm water pipes which safeguard public health and safety while recognizing the advantages of such installation over trenching of City streets.”

➤ WHY THE POLICY IS NO LONGER NEEDED/WHAT REPLACED IT

In 2002, when this policy was adopted, it was accompanied at City Council by a report and a contract to utilize the policy to place communication wire in the City’s underground pipes. Even though the contract was executed, that company went bankrupt and no wires were ever placed. Currently, neither Storm Water nor Sewer staff recommends further approvals under this policy to guard against reducing the capacity of, or potential damage to, any underground pipes. Additionally, the technology supported by placement of the wires in underground pipes is outdated and staff believes this policy will never again be used.

➤ APPLICABLE REFERENCES/RESOURCES

- None cited.

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**Article 1: Separately Regulated Use Regulations**  
**Division 3: Residential Use Category--Separately Regulated Uses**

**§141.0301 through §141.0308 [No Change]**

**§141.0310 Housing for Senior Citizens**

Housing for senior citizens may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (c) [No Change]

(d) Off-Street Parking Requirements

(1) Parking ratios shall be determined in accordance with the following:

(A) The base parking requirement is 1 parking space per dwelling unit~~;~~

(2B) For facilities that provide daily meals in a common cooking and dining facility and that provide and maintain a common transportation service for residents, 0.7 parking spaces per dwelling unit plus 1 parking space for each staff person, calculated based on staffing for the peak-hour shift, shall be provided~~;~~ and

(C) For affordable housing for senior citizens as defined in Section 142.0527(a) parking shall be determined in accordance with Section 142.0527.

(32) Parking areas shall be lighted for the safety of tenants. Lighting shall be of a design that deters vandalism. The location, type, and size of the proposed lighting fixtures shall be specified on the permit application.

(e) [No Change]

**§141.0311 through §141.0314 [No Change]**

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**Article 1: Separately Regulated Use Regulations**  
**Division 4: Institutional Use Category--Separately Regulated Uses**

**§141.0401 through §141.0406 [No Change]**

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**§141.0407 Educational Facilities--Schools for Kindergarten to Grade 12 and Colleges/Universities**

Educational facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (e) [No Change]

(f) Off-street parking requirements for kindergarten through grade 12 are provided in Table 142-05~~FG~~<sup>FG</sup>. Off-street parking for colleges and universities shall be provided to adequately serve the facility without causing parking impacts on surrounding property.

**§141.0408 [No Change]****§141.0409 Exhibit Halls and Convention Facilities**

Exhibit halls and convention facilities may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (b) [No Change]

(c) Off-street parking shall be provided in accordance with Table 142-05~~FG~~<sup>FG</sup>.

**§141.0410 through §141.0412 [No Change]****§141.0413 Hospitals, Intermediate Care Facilities, and Nursing Facilities**

Hospitals, intermediate care facilities, and nursing facilities may be permitted with a Process Four Conditional Use Permit in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (d) [No Change]

(e) Off-street parking shall be provided in accordance with Table 142-05~~FG~~<sup>FG</sup>.

(f) [No Change]

**§141.0414 Interpretive Centers**

Interpretive centers are *structures* or facilities designed to inform and educate the public about the surrounding environment. Interpretive centers may be permitted



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with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (b) [No Change]

(c) Off-street parking shall be provided in accordance with Table 142-05FG.

#### **§141.0415 Museums**

Museums may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (b) [No Change]

(c) Off-street parking shall be provided in accordance with Table 142-05FG.

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## **Article 2: General Development Regulations**

### **Division 5: Parking Regulations**

#### **§142.0501 [No Change]**

#### **§142.0505 When Parking Regulations Apply**

These regulations apply in all base zones and planned districts, with the exception of those areas specifically identified as being exempt from the regulations, whether or not permit or other approval is required.

Table 142-05A identifies the applicable regulations and the type of permit required by this division, if any, for the type of development shown.

**Table 142-05A**  
**Parking Regulations Applicability**

<b>Type of Development Proposal</b>	<b>Applicable Regulations</b>	<b>Required Permit Type/Decision Process</b>
<i>Any single dwelling unit residential development</i>	Sections 142.0510 , 142.0520 and 142.0560	No permit required by this division
<i>Any multiple dwelling unit residential development</i>	Sections 142.0510, 142.0525 and 142.0560	No permit required by this division
<u><i>Any multiple dwelling unit residential development that includes affordable housing</i></u>	<u>Sections 142.0510, 142.0525, 142.0560, and 142.0527</u>	<u>No permit required by this division</u>
<i>Any nonresidential development</i>	Sections 142.0510, 142.0530, and 142.0560	No permit required by this division

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Type of Development Proposal	Applicable Regulations	Required Permit Type/Decision Process
Multiple dwelling unit <del>projects</del> <u>residential development</u> in Planned Urbanized Communities that are processing a Planned Development Permit.	Section 142.0525(c)	No permit required by this division
Condominium conversion through Tandem Parking for commercial uses [No Change]		

### §142.0510 through §142.0521 [No Change]

### §142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios

- (a) Minimum Required Parking Spaces. The required automobile parking spaces, motorcycle parking spaces, and bicycle parking spaces for *development* of *multiple dwelling units*, whether attached or detached, and related and *accessory uses* are shown in Table 142-05C. Other allowances and requirements, including the requirement for additional common area parking for some projects, are provided in Section 142.0525(b) through (d).

**Table 142-05C**  
**Minimum Required Parking Spaces for**  
**Multiple Dwelling Units and Related Accessory Uses**

Multiple Dwelling Unit Type and Related and Accessory Uses	Automobile Spaces Required Per Dwelling Unit (Unless Otherwise Indicated)			Motorcycle Spaces Required Per Dwelling Unit	Bicycle <sup>(5)</sup> Spaces Required Per Dwelling Unit
	Basic <sup>(1)</sup>	Transit Area <sup>(2)</sup> <del>or</del> <u>Very Low Income</u> <sup>(3)</sup>	Parking Impact <sup>(4)</sup>		
Studio up to 400 square feet	1.25	1.0	1.5	0.05	0.3
1 bedroom or studio over 400 square feet	1.5	1.25	1.75	0.1	0.4
2 bedrooms	2.0	1.75	2.25	0.1	0.5
3-4 bedrooms	2.25	2.0	2.5	0.1	0.6
5+ bedrooms	2.25	2.0	(See footnote 6)	0.2	1.0
<u>Affordable Housing Units (see Section 142.0527)</u>	<u>N/A</u>	<u>N/A</u>	<u>0.25 beyond that required in Section 142.0527</u>	<u>(See footnote 3)</u>	<u>(See footnote 3)</u>
<u>Condominium conversion</u> <sup>(8)</sup> <u>Condominium conversion</u> 1 bedroom or studio over 400 Square feet	1.0	0.75	1.25	N/A	N/A
2 bedrooms	1.25	1.0	1.5	N/A	N/A
3 + bedrooms	1.5	1.25	1.75	N/A	N/A
Rooming house	1.0 per tenant	0.75 per tenant	1.0 per tenant	0.05 per tenant	0.30 per tenant
Boarder & Lodger Accommodations	1.0 per two boarders or lodgers	1.0 per two boarders or lodgers	1.0 per two boarders or lodgers, except 1.0 per boarder or lodger in beach impact area	<u>N/A</u>	<u>N/A</u>
Residential care facility					

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Multiple Dwelling Unit Type and Related and Accessory Uses	Automobile Spaces Required Per Dwelling Unit (Unless Otherwise Indicated)			Motorcycle Spaces Required Per Dwelling Unit	Bicycle <sup>(5)</sup> Spaces Required Per Dwelling Unit
	Basic <sup>(1)</sup>	Transit Area <sup>(2)</sup> <del>or</del> <sup>(3)</sup> <i>Very Low Income</i>	Parking <sup>(4)</sup> Impact		
through Accessory Uses [No Change]					

**Footnotes for Table 142-05C**<sup>1</sup> through <sup>2</sup> [No Change]

<sup>3</sup> ~~*Very Low Income.* The very low income parking ratio applies to dwelling units limited to occupancy by very low income households and development covered by an agreement with the San Diego Housing Commission pursuant to Chapter 14, Article 3, Division 7 (Affordable Housing Density Bonus Regulations). The required motorcycle and bicycle parking spaces are the same as those required for Studio up to 400 square feet, 1 bedroom or studio over 400 square feet, 2 bedrooms, 3-4 bedrooms, and 5+ bedrooms.~~

<sup>4</sup> through <sup>8</sup> [No Change]

(b) through (d) [No Change]

**§142.0527 Affordable Housing Parking Regulations**

The affordable housing parking regulations are intended to be used to determine the minimum number of parking spaces required for development that includes affordable housing dwelling units. The regulations may be applied to affordable housing dwelling units in developments where all or only a portion of the development is affordable.

(a) For the purposes Section 142.0527 the following definitions apply:

(1) Affordable housing means regulated rental housing where the tenant pays no more than 30 percent of gross household income towards gross rent (including utilities) and where a specified number of units are affordable to very low income (50 percent Area Median Income) and/or low income (60 percent Area Median Income) households for a term of at least 30 years.

(2) Civic use means any of the following uses:

(A) Libraries

(B) Museums

(C) Post offices

(D) Public parks

(E) Recreation centers

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(F) Social service agencies

(b) The required parking spaces for motorcycles, bicycles, and related accessory uses for affordable housing development are shown in Table 142-05C.

(c) The minimum required automobile parking spaces for affordable housing development shall be determined using the following indices.

(1) Walkability Index

The numerical value for the Walkability Index is determined by assigning one point for each of the following criteria that applies to the location of the proposed affordable housing unit(s) for a maximum potential of 4 points.

(A) Retail, theater, and assembly, or entertainment uses present within one-half mile of the development premises.

(B) More than 120 lots developed with retail, theater, or assembly and entertainment uses within one-half mile of the development premises.

(C) Office, civic, or kindergarten through high school educational uses within one-half mile of the development premises.

(D) More than 50 lots developed with office, civic, or kindergarten through high school educational uses within one-half mile of the development premises.

(2) Transit Index

The numerical value for the Transit Index is the number of points assigned to the threshold peak hour trips that applies to the development. For bus transit the value is assigned for peak hour trips for each bus transit stop within one-quarter mile of the development premises. For fixed rail transit the value is assigned for the only closest fixed rail stop within one-half mile of the development premises. Inbound /outbound stops for the same route count as one stop.

(A) 0-15 peak hour trips/hour (1 point)

(B) 16-30 peak hour trips/hour (2 points)

(C) 31-45 peak hour trips/hour (3 points)

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- (D) 46 or greater peak hour trips/hour (4 points)
- (3) The Walkability/Transit Index
- (A) The Walkability/Transit Index is the sum of the Walkability Index and the Transit Index divided by two.
- (B) The Walkability/Transit Index is used to determine the level of parking as follows:
- (i) 0.0 – 1.99 High parking demand
- (ii) 2.0 – 3.99 Medium parking demand
- (iii) 4.0 Low parking demand
- (4) Table 142-05D provides the parking ratios required for affordable housing *development* using the following definitions for type of housing.
- (A) Family housing means a *development* where 50 percent or more of the *dwelling units* contain two or more *bedrooms*.
- (B) *SRO hotel* has the same meaning as in Section 113.0103.
- (C) Housing for senior citizens means a *development* in which all *dwelling units* meet the requirements of 141.0310(a).
- (D) Studio and 1 *bedroom* respectively mean a *dwelling unit* that is designed to include sleeping, cooking and living accommodations within one open living area up to 400 square feet and a *dwelling unit* designed with one *bedroom* with separate living area or a studio greater than 400 square feet; and is not within a *development* for family housing, *SRO hotel*, or housing for senior citizens.
- (E) Special needs housing means housing that is supportive of persons with special needs beyond economic needs relating to physical disabilities, mental health, or developmental disabilities.

**Legend for Table 142-05D**

<b><u>Symbol in Table 142-05D</u></b>	<b><u>Description of Symbol</u></b>
<b><u>H</u></b>	<u>High parking demand</u>
<b><u>M</u></b>	<u>Medium parking demand</u>
<b><u>L</u></b>	<u>Low parking demand</u>

**Legend for Table 142-05D**

<u>Symbol in Table 142-05D</u>	<u>Description of Symbol</u>
<u>-</u>	<u>Not applicable to housing type.</u>

**Table 142-05D**  
**Affordable Housing Parking Ratios**

<u>Bedrooms</u>	<u>Family Housing</u>			<u>Housing for Senior Citizens</u>			<u>Studio &amp; 1 BR</u>			<u>Special Needs</u>			<u>SRO</u>		
	<u>H</u>	<u>M</u>	<u>L</u>	<u>H</u>	<u>M</u>	<u>L</u>	<u>H</u>	<u>M</u>	<u>L</u>	<u>H</u>	<u>M</u>	<u>L</u>	<u>H</u>	<u>M</u>	<u>L</u>
<u>Studio</u>	<u>0.5</u>	<u>0.2</u>	<u>0.1</u>	<u>0.5</u>	<u>0.3</u>	<u>0.1</u>	<u>0.5</u>	<u>0.2</u>	<u>0.1</u>	<u>0.5</u>	<u>0.2</u>	<u>0.1</u>	<u>0.5</u>	<u>0.3</u>	<u>0.1</u>
<u>1 BR</u>	<u>1.0</u>	<u>0.6</u>	<u>0.33</u>	<u>0.75</u>	<u>0.6</u>	<u>0.15</u>	<u>0.75</u>	<u>0.5</u>	<u>0.1</u>	<u>0.75</u>	<u>0.5</u>	<u>0.1</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>2BR</u>	<u>1.3</u>	<u>1.1</u>	<u>0.5</u>	<u>1.0</u>	<u>0.85</u>	<u>0.2</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>3 BR</u>	<u>1.75</u>	<u>1.4</u>	<u>0.75</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Supplemental</u>															
<u>Visitor</u>	<u>0.15</u>			<u>0.15</u>			<u>0.15</u>			<u>0.15</u>			<u>0.15</u>		
<u>Staff</u>	<u>0.05</u>			<u>0.05</u>			<u>0.05</u>			<u>0.1</u>			<u>0.05</u>		
<u>Assigned Parking</u>	<u>0.1</u>			<u>0.1</u>			<u>0.1</u>			<u>0.1</u>			<u>0.1</u>		
<u>Unassigned Parking</u>	<u>0.0</u>			<u>0.0</u>			<u>0.0</u>			<u>0.0</u>			<u>0.0</u>		

(d) All required parking shall be provided in non-tandem parking spaces.

(e) Affordable housing development is not subject to the parking regulations of the Parking Impact Overlay Zone and the Transit Overlay Zone and shall not be entitled to parking reduction provided for in Section 142.0550 (Parking Assessment District Calculation Exception).

#### **§142.0530 Nonresidential Uses — Parking Ratios**

- (a) Retail Sales, Commercial Services, and Mixed-Use Development. Table 142-05DE establishes the ratio of required parking spaces to building *floor* area in the commercial zones, industrial zones, and planned districts shown, for retail sales uses and for those commercial service uses that are not covered by Table 142-05EF or 142-05FG. Table 142-05DE also establishes the required parking ratios for mixed-use developments in a single *structure* that include an allowed use from at least two of the following use categories: (1) retail sales, (2) commercial services, and (3) offices.

**Table 142-05DE**  
**Parking Ratios for Retail Sales, Commercial Services, and Mixed-Use Development**

<u>Zone</u>	<u>Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)</u>	
	<u>Required Automobile Parking Spaces</u>	<u>Required Bicycle Parking Spaces<sup>(2)</sup></u>

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	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area <sup>(1)</sup>	Maximum Permitted	Minimum Required
<b>Commercial Zones through Planned Districts [No Change]</b>				

Footnotes For Table 142-05DE

<sup>1</sup> through <sup>5</sup> [No change]

- (b) Eating and Drinking Establishments. Table 142-05EF establishes the required ratio of parking spaces to building *floor* area in the commercial zones, industrial zones, and planned districts shown, for eating and drinking establishments that are the primary use on a *premises*.

**Table 142-05EF**  
**Parking Ratios for Eating and Drinking Establishments**

Zone	Parking Spaces Required per 1,000 Square Feet of Eating and Drinking Establishment <sup>(3)</sup> Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces <sup>(2)</sup>
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area <sup>(1)</sup>	Maximum Permitted	Minimum Required
<b>Commercial Zones through Planned Districts [No Change]</b>				

Footnotes For Table 142-05EF

<sup>1</sup> through <sup>4</sup> [No Change]

<sup>5</sup> *Alley Access.* For properties with *alley* access, one parking space per 10 linear feet of *alley* frontage may be provided instead of the parking ratio shown in Table 142-05EF. Within the beach impact area of the Parking Impact Overlay Zone, application of this policy shall not result in a reduction of required on-site parking.

- (c) Nonresidential Uses. Table 142-05FG establishes the required ratio of parking spaces to building *floor* area for the nonresidential uses shown that are not covered by the parking requirements in Section 142.0530(a) and (b).

**Table 142-05FG**  
**Parking Ratios for Specified Non-Residential Uses**

Use	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area, and Excludes Floor Area Devoted to Parking)				
	Required Automobile Parking Spaces				Required Bicycle Parking Spaces <sup>(3)</sup>
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area <sup>(1)</sup>	Maximum Permitted	Carpool Minimum <sup>(2)</sup>	Minimum
<b>Institutional</b>					
Separately regulated uses					

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Use	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area, and Excludes Floor Area Devoted to Parking)				
	Required Automobile Parking Spaces				Required Bicycle Parking Spaces <sup>(3)</sup>
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area <sup>(1)</sup>	Maximum Permitted	Carpool Minimum <sup>(2)</sup>	Minimum
Botanical Gardens and Arboretums through Radio & Television Broadcasting [No Change]					
<b>Retail Sales:</b> See Table 142-05DE					
<b>Commercial Services</b>					
<b>Eating &amp; Drinking Establishments</b>	See Table 142-05EF				
<b>Public assembly &amp; entertainment</b> through All other public assembly and entertainment [No Change]					
<b>Visitor accommodations</b> [No Change]					
<b>Separately Regulated Uses</b>					
<i>Child Care Facilities</i>	1 per staff	85% of Minimum	N/A	N/A	N/A
Funeral parlors & Mortuaries	1 per 3 seats; 30.0 for assembly area if no fixed seats	85% of minimum	N/A	N/A	2% of Auto Minimum
Outpatient Medical Clinic	4.0	3.5	6.0	0.4	0.03 + .03 bike lockers with shower
Private clubs, lodges, fraternal organizations (except fraternities and sororities)	1 per <i>guest room</i> , <sup>(76)</sup> or 2.5, whichever is greater	85% of Minimum	N/A	N/A	2% of Auto Minimum
Single room occupancy hotels (See Section 142.0527 for SRO Hotels that are designated affordable housing)	1 per room <i>Very low income <sup>(5)</sup> : 0.5 per room</i>	0.5 per room <i>Very low income <sup>(5)</sup> : 0.25 per room</i>	N/A	N/A	0.2 per room
Veterinary clinics & hospitals	2.5	2.1	N/A	N/A	N/A
<b>Offices <sup>(65)</sup> [No Change]</b>					
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Service [No Change]</b>					



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Use	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area, and Excludes Floor Area Devoted to Parking)				
	Required Automobile Parking Spaces				Required Bicycle Parking Spaces <sup>(3)</sup>
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area <sup>(1)</sup>	Maximum Permitted	Carpool Minimum <sup>(2)</sup>	Minimum
<b>Wholesale, Distribution, and Storage</b> <sup>(65)</sup> [No Change]					
<b>Industrial</b> [No Change]					

Footnotes For Table 142-05 ~~FG~~<sup>1</sup> through <sup>3</sup> [No Change]

<sup>4</sup> *Alley Access.* For properties with *alley* access, one parking space per 10 linear feet of *alley* frontage may be provided instead of the parking ratio shown in Table 142-05 ~~FG~~. Within the beach impact area of the Parking Impact Overlay Zone, application of this policy shall not result in a reduction of required on-site parking.

<sup>5</sup> ~~Very Low Income. The very low income parking ratio applies to dwelling units limited to occupancy by very low income households that are covered by an agreement with the San Diego Housing Commission pursuant to Chapter 14, Article 3, Division 7 (Affordable Housing Density Bonus Regulations).~~

<sup>65</sup> Accessory Retail Sales, Commercial Services, and Office Uses. On-site accessory retail sales, commercial services, and office uses that are not open to the public are subject to the same parking ratio as the primary use.

<sup>76</sup> In the beach impact area, one parking space per guest room or 5.0, whichever is greater.

(d) Carpool Spaces [No Change]

(e) Bicycle Facilities [No Change]

(f) Unspecified Uses. For uses not addressed by Tables 142-05 ~~DE~~, 142-05 ~~EF~~, and 142-05 ~~FG~~ the required *off-street parking spaces* are the same as that required for similar uses. The City Manager shall determine if uses are similar.

(g) [No Change]

(h) [No Change]

**§142.0535** [No Change]

#### **§142.0540 Exceptions to Parking Regulations for Nonresidential Uses**

(a) Commercial Uses on Small Lots. Outside the beach impact area of the Parking Impact Overlay Zone, for *lots* that are 7,000 square feet or less, that existed before January 1, 2000, including abutting *lots* under common ownership, the parking requirements set forth in Table 142-05 ~~GH~~ may be applied to all commercial uses at the option of the *applicant* as an alternative to the requirements set forth in Section 142.0530. The type of access listed in

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Table 142-05GH determines the minimum number of required *off-street parking spaces*.

**Table 142-05GH**  
**Alternative Parking Requirement for**  
**Commercial Uses on Small Lots**

Type of Access	Minimum Number of Parking Spaces
With <i>Alley</i> Access <sup>(1)</sup>	1 space per 10 feet of <i>alley</i> frontage, minus one space
Without <i>Alley</i> Access	none required

Footnote to Table 142-05GH

<sup>1</sup>

The City Engineer will determine whether a *lot* has adequate *alley* access according to accepted engineering practices.

- (b) Exceeding Maximum Permitted Parking. Development proposals may exceed the maximum permitted automobile parking requirement shown in Tables 142-05DE, 142-05EF, and 142-05FG with the approval of a Neighborhood Development Permit, subject to the following:

(1) through (2) [No Change]

- (c) [No Change]

#### **§142.0545 Shared Parking Requirements**

- (a) [No Change]

- (b) Shared Parking Formula. *Shared parking* is based upon the variations in the number of parking spaces needed (parking demand) over the course of the day for each of the proposed uses. The hour in which the highest number of parking spaces is needed (peak parking demand) for the proposed *development*, based upon the standards in this section, determines the minimum number of required *off-street parking spaces* for the proposed *development*.

(1) [No Change]

(2) Table 142-05HI contains the peak parking demand for selected uses, expressed as a ratio of parking spaces to *floor* area.

(3) Table 142-05IJ contains the percentage of peak parking demand that selected uses generate for each hour of the day (hourly accumulation curve), in some cases separated into weekdays and Saturdays. The period during which a use is expected to generate its peak parking

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demand is indicated as 100 percent, and the period during which no parking demand is expected is indicated with “-”.

(4) through (6) [No Change]

(7) Uses for which standards are not provided in Tables 142-05HJ and 142-05IJ may nevertheless provide *shared parking* with the approval of a Neighborhood Development Permit, provided that the *applicant* shows evidence that the standards used for the proposed *development* result in an accurate representation of the peak parking demand.

(c) Single Use Parking Ratios. *Shared parking* is subject to the parking ratios in Table 142-05HJ.

**Table 142-05HJ**  
**Parking Ratios for Shared Parking**

Use	Peak Parking Demand (Ratio of spaces per 1,000 square feet of floor area unless otherwise noted. Floor area includes gross floor area plus below grade floor area and excludes floor area devoted to parking)	Transit Area <sup>(1)</sup>
Office (except medical office) Through <i>Multiple dwelling units</i> [No Change]		

Footnote for Table 142-05HJ

<sup>1</sup> [No Change]

(d) Hourly Accumulation Rates. Table 142-05IJ contains, for each hour of the day shown in the left column, the percentage of peak demand for each of the uses, separated in some cases into weekdays and Saturdays.

**Table 142-05IJ**  
**Representative Hourly Accumulation by Percentage of Peak Hour**

Hour of Day	Office (Except Medical Office)		Medical Office		Retail Sales		Eating & Drinking establishment.		Cinema	
	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday
6 a.m. through Midnight [No Change]										

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Hour of Day	Visitor Accommodations					
	<i>Guest Room</i>		Eating & Drinking Establishment		Conference Room	Exhibit Hall and Convention Facility
	Weekday	Saturday	Weekday	Saturday	Daily	Daily
6 a.m. through Midnight [No Change]						

Hour of Day	Residential	
	Weekday	Saturday
6 a.m. through Midnight [No Change]	100%	100%

#### §142.0550 Parking Assessment District Calculation Exception

- (a) Exemption From Minimum Required Parking Spaces. Property within a parking assessment district formed pursuant to any parking district ordinance adopted by the City Council may reduce the number of parking spaces provided from the minimum automobile space requirements in Tables 142-05C, 142-05~~DE~~, 142-05~~EE~~, and 142-05~~FG~~ in accordance with the application of the following formula:

(Assessment against the subject property) / (Total assessment against all property in the parking district) x (parking spaces provided in the district facility) x 1.25 = parking spaces reduced.

The remainder of the *off-street parking spaces* required by Tables 142-05C, 142-05~~DE~~, 142-05~~EE~~, and 142-05~~FG~~ shall be provided on the *premises* or as otherwise provided in the applicable zone.

- (b) Property Within More than One Parking Assessment District. Property located in more than one parking assessment district is entitled to the exemption provided in Section 142.0550(a) for each parking assessment district.

§142.0555 through §142.0556 [No Change]

#### §142.0560 Development and Design Regulations for Parking Facilities

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- (a) [No Change]
- (b) Minimum Dimensions for *Off-street Parking Spaces*. The minimum dimensions for single and tandem spaces for specific types of parking spaces are shown in Table 142-05JK, except as provided in Section 142.0560(e) for certain pre-existing parking facilities. Compact spaces are not permitted.

**Table 142-05JK**  
**Minimum Off-Street Parking Space Dimensions**

Type of Space	Required Single Space Dimensions	Required Tandem Space Dimensions
<b>Parking space unobstructed:</b> Retail sales uses and eating and drinking establishments All other uses through <b>Parking Space parallel to aisle</b> (interior space) [No Change]		

- (c) Minimum Dimensions for Automobile Parking Aisles. The minimum dimensions for automobile parking aisles at permitted angles for one-way and two-way circulation are shown in Table 142-05KL and illustrated in Diagram 142-05B, except as provided in Section 142.0560(e) for certain pre-existing parking facilities.

**Table 142-05KL**  
**Aisle Dimensions**

Angle Between Parking Space and Aisle	Minimum Required Aisle Width (feet)	
	One Way	Two Way
90° (perpendicular) Through 0° (parallel) [NoChange]		

Footnote for Table 142-05L

<sup>1</sup> For narrow lots 50 feet or less in width, the minimum drive aisle may be reduced to 22 feet.

**Diagram 142-05B [No Change]**

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- (1) For other angles between 45 and 90 degrees, use the aisle width for the next larger angle in Table 142-05~~KL~~.
- (2) [No Change]
- (d) through (i) [No Change]
- (j) Driveway and Access Regulations
- (1) Driveway width shall be determined based on the size of the lot, type of use proposed, and location inside or outside of the Parking Impact Overlay Zone. Refer to Tables 142-05~~LM~~ and 142-05~~MN~~ for the applicable minimum and maximum driveway widths.

**Table 142-05~~LM~~**  
**Driveway Width (Lots greater than 50 feet in width)**

Use	Minimum Width		Maximum Width (Outside of Parking Impact Overlay Zone)		Maximum Width Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	Two Way
Detached <i>Single Dwelling Unit</i> through Nonresidential [No Change]					

**Table 142-05~~MN~~**  
**Driveway Width (Lots 50 feet or less in width)**

Use	Minimum Width		Maximum Width (Outside of Parking Impact Overlay Zone)		Maximum Width Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	Two Way
Detached <i>Single Dwelling Unit</i> through Nonresidential [No Change]					

- (2) through (10) [No Change]
- (k) [No Change]

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**Article 5: Building Regulations**  
**Division 40: Voluntary Accessibility Program**

**§145.4001 through §145.4002 [No Change]**

**§145.4003 Voluntary Accessibility Program Regulations and Development Incentives**

(a) through (c) [No Change]

(d) Incentives

An *applicant* for *development* eligible for one or more incentives pursuant to Section 145.4003, may select from the following incentives:

(1) An *applicant* may request one of the following modifications of the applicable parking regulations in Section 142.0560 for Tier I Accessible Dwelling Units.

(A) through (B) [No Change]

(C) A reduction of the driveway width consistent with the minimum dimensions specified in Table 142-05MN,

(D) through (E) [No Change]

(2) through(5) [No Change]

(e) [No Change]

**§145.4004 through §145.4005 [No Change]**

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**Chapter 15**  
**Planned Districts**  
**Article 1: Planned Districts**  
**Division 1: General Provisions for Planned Districts**

**§151.0101 through §151.0102 [No Change]**

**§151.0103 Applicable Regulations**

(a) [No change]

(b) The following regulations apply in all planned districts:

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- (1) Land Development Code, Chapter 11 (Land Development Procedures);
  - (2) Land Development Code, Chapter 12 (Land Development Reviews), except Chapter 12, Article 6, Division 6, where specifically excluded in the planned district regulations;
  - (3) Land Development Code, Chapter 13, Article 2 (Overlay Zones);
  - (4) Alcoholic beverage outlets regulations contained in Land Development Code Section 141.0502;
  - (5) Adult entertainment establishments regulations contained in Land Development Code Section 141.0601;
  - (6) Child care facilities regulations contained in Land Development Code Section 141.0606; and
  - (7) Affordable Housing Parking Regulations in Land Development Code Section 142.0527 except when the Planned District Ordinance provides a lower parking ratio than would be provided in Section 142.0527.
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**Article 7: Gaslamp Planned District**  
**Division 4: General and Supplemental Regulations**

**§157.0401 Off-Street Parking Requirements**

(a) through (b) [No Change]

- (c) All required parking shall meet the parking regulations set forth in Section 142.0560, including Table 142-05JK and Table 142-05KL, of the Land Development Code.

(d) through (f) [No Change]

**§157.0402 through §157.0408** [No Change]